

## SS SCS HCS HB 604 -- PARENTAL RIGHTS, FOSTER CARE, AND ADOPTION

This bill creates the Foster Care and Adoptive Parents Recruitment and Retention Fund; establishes a task force on foster care recruitment, licensing, and retention; changes the laws regarding rights of individuals with disabilities, foster care provider investigation reports, and foster care and sibling placements; and establishes the Missouri State Foster Care and Adoption Board.

### DESIGNATION OF TAX REFUNDS TO THE FOSTER CARE AND ADOPTIVE PARENTS RECRUITMENT AND RETENTION FUND (Sections 143.1015 and 453.600, RSMo)

Beginning January 1, 2011, the bill authorizes an individual or corporation to designate at least \$1 on a Missouri individual income tax return or at least \$2 on a combined return of his or her tax refund amount to the newly created Foster Care and Adoptive Parents Recruitment and Retention Fund. A taxpayer may also donate to the fund by sending a separate check with the payment of his or her taxes. The fund is to be administered by the newly established Foster Care and Adoptive Parents Recruitment and Retention Fund Board. Upon appropriation, moneys in the fund must be distributed by the Department of Social Services to grant awards to licensed community-based foster care and adoption recruitment programs.

### TASK FORCE ON FOSTER CARE RECRUITMENT, LICENSING, AND RETENTION (Section 210.112)

The Children's Division within the Department of Social Services must convene a task force to review the recruitment, licensing, and retention of foster and adoptive parents statewide. In addition to representatives of the division and the department, the task force must include representatives of the private sector and faith-based community which provide recruitment and licensure services. The task force must study the extent to which changes in the system of recruiting, licensing, and retaining foster and adoptive parents would enhance the effectiveness of the system statewide and must report its findings with recommendations by December 1, 2011, to the General Assembly and the Governor.

### RIGHTS OF INDIVIDUALS WITH DISABILITIES (Sections 210.496, 211.031, 211.447, and 453.070)

The bill specifies that the disability or disease of an individual cannot be the basis for a determination to refuse to issue, suspend, or revoke a foster care license; to remove a child from a parent's custody or that a child is in need of care; to terminate parental rights; or to rule that an individual is

unfit or not suitable to be an adoptive parent or a foster parent without a specific showing that there is a causal relationship between the disability or disease and a substantial and significant risk of harm to the child.

#### FOSTER CARE PROVIDER INVESTIGATION REPORTS (Section 210.498)

Currently, parents and legal guardians can have access to investigation reports conducted by the Children's Division within the Department of Social Services on a foster parent that provides care to his or her child if the foster parent has had a license denial, suspension, or revocation. The bill specifies that the information provided to the parent or legal guardian can include only the information regarding the nature and disposition of any denial, suspension, or revocation of a license to operate a foster home.

#### FOSTER CARE AND SIBLING PLACEMENTS (Section 210.565)

The bill establishes the following order of preference for the placement of a child in foster care: grandparents and relatives, a trusted adult who has a pre-existing relationship with the child, and any foster parent who is currently licensed and capable of accepting placement of the child. Any person receiving a preference may be licensed in an expedited manner if a child is placed under the person's care.

The Children's Division within the Department of Social Services is required to make reasonable efforts to place siblings in the same foster care, kinship, guardianship, or adoptive placement unless doing so would be contrary to the safety or well-being of any of the siblings. If siblings are not placed together, the division must make reasonable efforts to provide frequent visitation or other ongoing interaction between the siblings unless this interaction would be contrary to a sibling's safety or well-being.

#### MISSOURI STATE FOSTER CARE AND ADOPTION BOARD (Section 210.617)

The Missouri State Foster Care and Adoption Board is established to provide consultation and assistance to the Department of Social Services. The board must draft and provide an independent review of the policies and procedures of the Children's Division within the department related to the provision of foster care and adoption in Missouri. The board must also determine the nature and content of in-service training which must be provided to foster and adoptive parents in order to improve these services to children statewide. Additional duties of the board are specified.

The board must be comprised of two foster or adoptive parents from each of the division's seven areas. Area members must be appointed by the Governor, with the advice and consent of the Senate, from recommendations by regional foster care and adoption boards or other similar entities. The board must annually provide a written report of its activities to the department director; Governor; Office of Child Advocate; and upon request, members of the General Assembly.

The provisions regarding the Foster Care and Adoptive Parents Recruitment and Retention Fund will expire six years from the effective date.